

SENATE, No. 3491

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 4, 2021

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

SYNOPSIS

Permits any person to administer or dispense opioid antidotes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/9/2021)

1 AN ACT concerning opioid antidotes and supplementing Title 24 of
2 the Revised Statutes and repealing P.L.2013, c.46 (C.24:6J-1 et
3 seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. (New section) As used in this section:

9 a. "Opioid antidote" means any drug, regardless of dosage
10 amount or method of administration, which has been approved by
11 the United States Food and Drug Administration (FDA) for the
12 treatment of an opioid overdose. "Opioid antidote" includes, but is
13 not limited to, naloxone hydrochloride, in any dosage amount,
14 which is administered through nasal spray or any other FDA-
15 approved means or methods.

16 "Opioid overdose" means an acute condition including, but not
17 limited to, extreme physical illness, decreased level of
18 consciousness, respiratory depression, coma, or death resulting
19 from the consumption or use of an opioid drug or another substance
20 with which an opioid drug was combined, and that a layperson
21 would reasonably believe to require medical assistance.

22 b. (1) Within 90 days of the effective date of this act, any
23 person in this State may dispense an opioid antidote to a person
24 who is located in this State.

25 (2) Any person in this State may administer an opioid antidote
26 to a recipient who is located in this State if the person believes, in
27 good faith, that the recipient is experiencing an opioid overdose.

28 (3) Within 90 days of the effective date of this act, the
29 Department of Health shall publish on its Internet website
30 guidelines for the dispensation of opioid antidotes that are
31 dispensed pursuant to the provisions of this section.

32 c. Any person who administers or dispenses an opioid antidote
33 in good faith, and in accordance with the provisions of this section,
34 shall not, as a result of the person's acts or omissions, be subject to
35 any criminal or civil liability or any professional disciplinary action
36 under Title 45 of the Revised Statutes for such administering or
37 dispensing.

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39 2. P.L.2013, c.46 (C.24:6J-1 et seq.) is repealed.

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41 3. This act shall take effect immediately.

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44 **STATEMENT**

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46 This bill permits any person to administer or dispense opioid
47 antidotes.

1 Under the bill, any person in this State may dispense an opioid
2 antidote to a person who is located in this State. Further, any
3 person in this State may administer an opioid antidote to a recipient
4 who is located in this State if the person believes, in good faith, that
5 the recipient is experiencing an opioid overdose. The bill also
6 provides immunity from criminal, civil, and professional liability
7 both to any person who administers or dispenses an opioid antidote
8 in good faith, and in accordance with the provisions of the bill.

9 This bill repeals the "Overdose Prevention Act," P.L.2013, c.46
10 (C.24:6J-1 et seq.) in order to facilitate the dispensation of opioid
11 antidotes without government regulation.

12 The bill defines "opioid antidote" to mean any drug, regardless
13 of dosage amount or method of administration, which has been
14 approved by the United States Food and Drug Administration
15 (FDA) for the treatment of an opioid overdose. "Opioid antidote"
16 includes, but is not limited to, naloxone hydrochloride, in any
17 dosage amount, which is administered through nasal spray or any
18 other FDA-approved means or methods. "Opioid overdose" means
19 an acute condition including, but not limited to, extreme physical
20 illness, decreased level of consciousness, respiratory depression,
21 coma, or death resulting from the consumption or use of an opioid
22 drug or another substance with which an opioid drug was combined,
23 and that a layperson would reasonably believe to require medical
24 assistance.